

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Ronald L. Legg,

Plaintiff,

V.

Det. Neil Frebowitz,

Defendant.

No. 4:12-cv-00811

ORDER

On August 6, 2013, the Court stayed this action pending resolution of Plaintiff's criminal charges in state court. (Dkt. No. 65). After review of the Horry County Public Index indicated that the pending criminal proceedings had been resolved, the Court ordered Plaintiff to file a Status Report apprising it of the status of the criminal charges related to his June 17, 2011 arrest. (Dkt. No. 79). Plaintiff states that his criminal conviction is on appeal and that he has filed a related civil case in state court. (Dkt. No. 85).

The Court's grant of a stay was based on the fact that criminal charges were pending against Plaintiff, and that a *Heck* analysis cannot be done in a pre-conviction setting. (See Dkt. No. 60 at 5, *adopted by* Dkt. No. 65). Now there is a conviction and no longer a need for a stay of this litigation. Therefore,

IT IS ORDERED THAT the stay is lifted;

IT IS FURTHER ORDERED THAT any motion(s) for summary judgment as to the remaining defendant and claims must be filed within thirty (30) days of the date of this Order;

IT IS FURTHER ORDERED THAT this matter be recommitted to the Magistrate Judge for pretrial proceedings.

AND IT IS SO ORDERED.

A handwritten signature in black ink, consisting of a stylized 'R' followed by a cursive 'M' and a large, loopy 'G'.

Richard Mark Gergel
United States District Judge

June 12, 2014
Charleston, South Carolina